

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/816,307 Confirmation No.: 8565  
Applicant: Yuji Sasaki  
Filed: April 1, 2004  
TC/A.U.: 2822  
Examiner: David E. Graybill  
Docket No.: 075834.00500  
Customer No.: 33448

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RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R:

In response to the Restriction Requirement dated January 10, 2006, Applicant elects, with traverse, the species of Figs. 5A-10B and different Chemical Vapor Deposition steps. Applicant submits that claims 11-12, and 14 read on the elected species. Applicant reserves herein the right to prosecute the remaining claims in a later filed continuation or divisional applications if such a filing is necessary. Applicant notes that claim 11 remains allowable and is generic as to all of the claims currently pending in the application. Accordingly, Applicant submits that the restriction requirement is improper and that all claims should be considered.

Applicants therefore await consideration and examination of elected claims 11-12, and 14, and respectfully requests consideration on the merits in due course.

Respectfully submitted,

Date: 5/10/06

(Reg. #37,602)

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